

EPA-2017-006821 request Details

Due Date: 06/08/2018 Clock Days: 788Backlogged

Requester Information

Requester	Mr. Allan L Blutstein	Tracking Number	EPA-2017-006821
Organization	America Rising	Submitted Date	05/03/2017
Requester Has Account	No	Received Date	05/03/2017
Email Address	ablutstein@am ericarisingllc.c om	Perfected Date	07/07/2017
Phone Number	703-672-3776	Last Assigned Date	06/08/2020
Fax Number		Assigned To	Justin Romano (Office of the Administrator)
Address	1500 Wilson Blvd., 5th Fl	Last Assigned By	Justin Romano (Office of the Administrator)
City	Arlington	Request Track	Simple
State/Province	VA	Fee Limit	\$25.00
Zip Code/Postal Code	22209		

Closure Information

Closed Date	08/27/2020	Exemptions Used	Ex. 6
Disposition	Partial Grant/Partial Denial	Statutes Used	
"Other" Disposition		Subtypes Used	

Request Handling

Requester Info Available to the Public	Yes	Request Type	FOIA
Request Track	Simple	Request Perfected	Yes
Fee Category	Other	Perfected Date	07/07/2017
Fee Waiver Requested	No	Acknowledgement Sent Date	
Fee Waiver Status		Unusual Circumstances	Yes
Expedited Processing Requested	No	Litigation	No
Expedited Processing Status		Court Docket Number	
		5 Day Notifications?	No

Description

Long Description

1. All communications exchanged since November 7, 2016, between Enesta Jones, Office of Public Affairs, and any individual using one of the following email domain addresses: (1) @suntimes.com; (2) @huffingtonpost.com; (3) @washpost.com; (4) @thehill.com; (5) @talkingpointsmemo.com; (6) @eenews.net; (7) @politico.com; (8) @msnbc.com; (9) @cbsnews.com; and (10) @nbcnews.com. Please note that this request does not seek widely-disseminated email received by Ms. Jones from a listserv. 2. All communications exchanged since January 1, 2017, between Ms. Jones and the staff of U.S. Senators Tom Carper ("@carper.senate.gov"), Sheldon Whitehouse ("@whitehouse.senate.gov"); or Elizabeth Warren ("@warren.senate.gov").

Has Description Been Modified

No

Description Available to the Public

Yes

Short Description

Additional Information

Unusual circumstances Invoked and Due Date Extended N/A

Date Unusual Circumstances Invoked – you MUST go to EXTEND DUE DATE in LEFT-HAND NAVIGATION BAR and COMPLETE FIELDS including ESTIMATED DATE OF COMPLETION N/A

Records Locations - Identify one or more locations where records may be located N/A

Attached Supporting Files

Attachments Available to the Public?
No

Attached File Name

Size (MB)

File Type

No supporting files have been uploaded.

Appeals

Tracking Number	Appeal Date	Appellant	Phase	Notification
No appeals have been created.				

Consultations

Tracking Number	Consulted Agency	Created By	Consultation Date	Due Date	Phase
No consultations have been created.					

Correspondence to Requester

Subject	From	To	Date
FOIA Request EPA-HQ-2017-006821 Submitted	System	Mr. Allan L Blutstein	05/03/2017

This message is to confirm your request submission to the FOIAonline application: [View Request](#). Request information is as follows:

- Tracking Number: EPA-HQ-2017-006821
- Requester Name: Allan L. Blutstein
- Date Submitted: 05/03/2017
- Request Status: Submitted
- Description: 1. All communications exchanged since November 7, 2016, between Enesta Jones, Office of Public Affairs, and any individual using one of the following email domain addresses: (1) @suntimes.com; (2) @huffingtonpost.com; (3) @washpost.com; (4) @thehill.com; (5) @talkingpointsmemo.com; (6) @eenews.net; (7) @politico.com; (8) @msnbc.com; (9) @cbsnews.com; and (10) @nbcnews.com. Please note that this request does not seek widely-disseminated email received by Ms. Jones from a listserv. 2. All communications exchanged since January 1, 2017, between Ms. Jones and the staff of U.S. Senators Tom Carper ("@carper.senate.gov"), Sheldon Whitehouse ("@whitehouse.senate.gov"); or Elizabeth Warren ("@warren.senate.gov").

Final Disposition, Request EPA-2017-006821	Justin Romano	Mr. Allan L Blutstein	08/27/2020
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EPA-2017-006821 has been processed with the following final disposition: Partial Grant/Partial Denial.

Records were released to the public as a result of this request. You may retrieve these records immediately using the following link: **View Records** Over the next 2 hours, these records are also being added to FOIAonline's search pages, further enabling you to retrieve these documents associated with your FOIA request at any time.

EPA-2017-006821_006774_006771_Closeout Letter_8.20.2020.pdf

Records Responsive_EPA-2017-006821.pdf

EPA-HQ-2017-006821 - Extension Unusual
Circumstance

Candace White

Mr. Allan L
Blutstein

10/27/2017

Re: Freedom of Information Act Request No. EPA-HQ-2017-006821

Dear Mr. Blutstein,

Thank you very much for your interest in the Environmental Protection Agency! This correspondence is in reference to your Freedom of Information Act ("FOIA") Requests submitted to the agency. These requests are as follows:

EPA-HQ-2017-006821: Submitted on May 3, 2017, in which you requested:

1. All communications exchanged since November 7, 2016, between Enesta Jones, Office of Public Affairs, and any individual using one of the following email domain addresses: (1) @suntimes.com; (2) @huffingtonpost.com; (3) @washpost.com; (4) @thehill.com; (5) @talkingpointsmemo.com; (6) @eenews.net; (7) @politico.com; (8) @msnbc.com; (9) @cbsnews.com; and (10) @nbcnews.com. Please note that this request does not seek widely-disseminated email received by Ms. Jones from a listserv. 2. All communications exchanged since January 1, 2017, between Ms. Jones and the staff of U.S. Senators Tom Carper (@carper.senate.gov), Sheldon Whitehouse (@whitehouse.senate.gov), or Elizabeth Warren (@warren.senate.gov).

1. I. Opportunity to Modify and Discuss

Your requests are too broad to be completed within the 20 days' time period and do not reasonably describe the records you are seeking in a way that will permit EPA employees to identify and locate them. For example, you ask for communications between three press officers at EPA and varying news outlets at specified email domains. However, an electronic search of our email records will likely capture routine news blasts from these email domains. Are those routine news blasts items that you are interested in, or is there something more granular and specific that you seek?

Pursuant to 40 C.F.R. § 2.102(c), we would like to provide you the opportunity to discuss the requests with us and clarify or narrow the records that you are seeking, so that EPA can process your request. Please note that your requests are tolled until we reach a clarification. Please let us know by November 3, 2017 if you are interested in clarifying your requests and are willing to arrange a time to discuss your requests.

1. II. Unusual Circumstances

Given the scope of your three requests, EPA anticipates that the response will require significant amount of EPA's resources and time to search for and appropriately examine a voluminous amount of records to complete this request. As a result of these unusual circumstances, an extension of time to respond to your requests is necessary

under 40 C.F.R. § 2.104(d). Subsequently, EPA anticipates needing an additional 276 working days from the day you submitted your requests in order to finish processing your requests. EPA anticipates it will finish processing June 8, 2018.

As you may know, OPA has received an unprecedented amount of FOIA requests during fiscal year 2017. In fiscal year 2016, OPA received only 14 FOIA requests, whereas in this fiscal year, OPA has received 164 FOIA requests. This is a 1071% increase in FOIA requests from fiscal years 2016 to 2017. As of the week of September 25, 2017, OPA has 122 pending FOIA requests. Please rest assured that OPA has been trying to diligently process all of its requests and make outreach with its requesters and sincerely apologizes for any inconvenience. If it is possible for us to do so, we will provide you with interim releases as they become available. If you wish to clarify your requests further so that EPA can process your requests in a shorter amount of time, we are happy to work with you.

1. III. Next Steps

As indicated, the processing clock is stopped for your FOIA Requests until we can clarify your requests further. Please respond by November 3, 2017 to arrange a time to discuss your requests. If we do not hear from you by November 3, 2017, EPA will do its best to reasonably interpret and process your requests.

Additionally, you may seek assistance from EPA's FOIA Public Liaison at hq.foia@epa.gov or (202) 566-1667, or from the Office of Government Information Services (OGIS). You may contact OGIS in any of the following ways: by mail, Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, MD 20740-6001; email: ogis@nara.gov; telephone: (202) 741-5770 or (877) 684-6448; or fax: (202) 741-5769.

You may contact Candace White at White.Candace@epa.gov or at 202-564-4308 with your response, or if you have any further questions. If you wish to request information connected to this request in the future, please reference the FOIA request numbers.

Thank you,

Candace White

EPA-HQ-2017-006821 - Extension Unusual Circumstance.pdf

FOIA Request: EPA-HQ-2017-006821

Christopher
Creech

Mr. Allan L
Blutstein

06/01/2018

This email is about your Freedom of Information Act (FOIA) request, EPA-HQ-2017-006821; it is assigned to the Office of the Administrator for processing.

The Office of the Administrator has experienced a significant increase in FOIA requests since the start of this administration. As of May 7, 2018, your FOIA request, EPA-HQ-2017-006821, is currently 329 in the queue. We are processing all FOIAs within the scope of our resources, given the sharp increase in requests. If possible, we will provide you with interim releases as they become available.

In fiscal year 2017, the average processing time for complex FOIA requests processed by AO was 388 working days. Using this number as instructive to estimate the time to process your request, the new estimated completion date for this FOIA is October 29, 2018.

The following are some sources of publicly available information that you can access immediately and which may contain information responsive to your request:

- Our website: <https://www.epa.gov/home/advanced-search>
- The EPA newsroom: <https://www.epa.gov/newsroom>
- FOIAonline for records previously released through FOIA requests:
<https://foiaonline.regulations.gov/foia/action/public/search/>
- Frequently requested records: <https://www.epa.gov/foia/national-online-foia-library#request>
- MyProperty: <https://www3.epa.gov/enviro/facts/myproperty/>
- Technical/scientific/educational publications: <https://www.epa.gov/nscep>
- Superfund sites and data: <https://www.epa.gov/foia/national-online-foia-library#superfund>
- Historical material reflecting the EPA website as it existed on January 19, 2017
<https://19january2017snapshot.epa.gov/>

If you wish to clarify your request, so that once we reach the request in the queue, it might be processed in a shorter amount of time, please contact Christopher Creech, Creech.Christopher@epa.gov. If you are no longer interested in the requested records, please let us know so that we can remove your request from the queue. Please be sure to include your tracking number, EPA-HQ-2017-006821, in the email subject to ensure a timely response.

In addition to seeking assistance from the contact above, you may seek assistance from the EPA's FOIA Public Liaison at hq.foia@epa.gov or (202) 566-1667, or from the Office of Government Information Services (OGIS). OGIS's services are described on their website, <https://www.archives.gov/ogis>. You may contact OGIS in any of the following ways: by mail, Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, MD 20740-6001; email: ogis@nara.gov; telephone: (202) 741-5770 or (877) 684-6448; or fax: (202) 741-5769.

Thank you,

Christopher Creech

Other Correspondence

Attached File	File Type	Size (MB)
Other-20200821102812-EPA-2017-006821_006774_006771_Closeout Letter_8.20.2020.pdf	Adobe PDF Document	0.1294

Fee Estimates

Current Estimate Total	\$0
Date Estimate Sent to Requester	N/A
Estimate Required for Payment	N/A

Invoices

Sent	Title	Invoice Date	Amount
No	EPA-2017-006821 Invoice-20200821103007835.pdf	08/21/2020	\$0.00

Total Amount Billed Which Has
Been Sent To Requester

\$0.00

Payments

Date	Amount	Type	Total Amount Paid	Total Amount Owed
No payments have been added.			\$0.00	\$0.00

Case Responsive Records

Publish Options:					
UU - Unredacted - Unreleaseable			UR - Unredacted - Releaseable to the General Public		
RU - Redacted - Unreleasable			RR - Redacted - Releasable to the General Public		
			REQ - Release to Requester Only		
Release Type	Title	User	Date/Time	Exemptions	Release Date
RR - Redacted - Releasable to the General Public	Records	Justin	08/27/2020	Ex. 6	08/27/2020
	Responsive_EPA-2017-006821	Romano	10:06 AM		
<hr style="border-top: 1px dashed #ccc;"/>					
Type	Adobe PDF Document	Retention	6 Year		
Size (MB)	11.1481	Referred to Non-Participating Agency	No		
Exemption 3 Statutes	N/A				
Exemption 5 Subtypes	N/A				

Restricted Materials

Attached File Name	Size (MB)	File Type	User	Actual Agency	Date/Time
No restricted materials have been added.					

Existing Admin Costs

Date	User Name	Charge Type	Hours/Quantity	Rate	Billable?	Total
08/21/2020	Justin Romano	Search	0.25	28.00	Yes	7.00

Charge Description		No description included.				

Fee Category: Other

Total: \$7.00

Invoice Amount: \$0.00

Assigned Tasks

Outcome	Task Type	Assigned To	Assigned By	Submitted Date	Due Date	Closed Date	Notification	Justification
Deny	Extend Due Date	HQ	Candace White	10/27/2017	10/27/2017	2017-10-30T12:21:41.000Z	No	
Extension Justification		See attached correspondence						
Approve	Case File Review	Mr. Larry Gottesman	Justin Romano	08/21/2020	08/21/2020	2020-08-26T22:08:30.775Z	No	
Comments		N/A						
Completed	Final Disposition Notice	Justin Romano	Nicole Rementer	08/26/2020	08/26/2020	2020-08-27T14:05:52.284Z	No	
Comments		N/A						
Approve	Extend Due Date	HQ	Candace White	12/11/2017	12/11/2017	2017-12-11T15:24:00.000Z	No	
Extension Justification		EPA will need to search for and collect the requested records from multiple EPA offices that are separate from the office processing the request. As a result of these unusual circumstances, an extension of time to respond to your request is necessary under 40 C.F.R. § 2.104(d).						

Existing Comments (4)

Date Created	Last Edited On	User Name
07/07/2017 01:29 PM	09/06/2018 01:21 AM	Candace White
Comment	status update sent out to requester	
03/13/2018 07:13 PM	11/21/2018 12:22 PM	Jonathan Newton
Comment	Reassigning OPA FOIA requests to the general box until a new FOIA Coordinator for OPA is designated.	
10/30/2017 08:21 AM	01/28/2019 09:43 AM	Wendy Schumacher
Comment	Per our conversation, wait until Nov. 3 deadline to see if the extension is needed and, if so, if June, 2018, is the appropriate date.	
07/12/2017 02:14 PM	09/06/2018 01:21 AM	Julia Valentine
Comment	Sent email (attached) to OPA-OMR staffer who will have responsive docs.	

Assigned Reviewers

Review Order	Review Outcome	Assigned Reviewer	Review Date
1	Approve: Case File Review	Larry Gottesman	TBD